

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ERNEST ANDRADE-BARTELDES, on behalf of
himself and others similarly situated,

Plaintiff,

-against-

ASA COLLEGE, INC., ALEXANDER
SHCHEGOL, and JOSE VALENCIA,

Defendants.

No. 1:23-cv-00495 (LJL)

**[PROPOSED] ORDER GRANTING PLAINTIFF’S MOTION FOR PRELIMINARY
APPROVAL OF THE SETTLEMENT AGREEMENT WITH DEFENDANT VALENCIA
AND APPROVAL OF DISTRIBUTION OF THE PROPOSED CLASS NOTICE**

The above-captioned matter came before the Court on Plaintiff’s Motion for Preliminary Approval of the Settlement Agreement with Defendant Jose Valencia and Approval of Distribution of the Proposed Class Notice (the “Motion for Preliminary Approval”).

1. Based upon the Court’s review of the Declaration of Matthew J. Blit, along with all exhibits annexed thereto, and Plaintiff’s Memorandum of Law in Support of Plaintiff’s Motion for Preliminary Approval, the Court grants preliminary approval of the settlement agreement memorialized between Plaintiff and Class Counsel and defendant Jose Valencia (the “Settlement Agreement”), which is annexed to the Declaration of Matthew J. Blit as ‘Exhibit B’, and so orders all of its terms, on a preliminary basis.

2. The Court concludes that the Settlement Agreement is within the range of reasonable settlement results as it relates to defendant Jose Valencia, such that notice to the Class is appropriate.

3. The Court finds that the Settlement Agreement is the result of arms'-length negotiations between Class Counsel and defendant Jose Valencia with the assistance of pro bono counsel, and that counsel is well-versed in the litigation of wage and hour class actions.

4. The Court approves the Proposed Class Notice, which is annexed to the Declaration of Matthew J. Blit as 'Exhibit C', and directs its distribution to the Class.

5. The Court finds that the Proposed Class Notice fully complies with due process and Rule 23 of the Federal Rules of Civil Procedure.

6. The Court orders that the following deadlines are imposed: (a) within 30 days of this Order, defendant Jose Valencia shall produce the names and addresses identified on Exhibit A to the Settlement Agreement to Class Counsel; (b) within 60 days of defendant Jose Valencia's production of the names and addresses identified on Exhibit A to the Settlement Agreement to Class Counsel, Class Counsel shall cause to be sent to the Proposed Class Notice, by U.S. Mail, to all collective and class members; (c) 60 days after the Proposed Class Notice is sent by Class counsel to all collective and class members, the time for collective members to opt-in to the collective, opt-out of the class, or submit objections to the Settlement Agreement shall expire; and (d) on _____, 2025, a final hearing concerning approval of the Settlement Agreement will be conducted by the Court.

It is so ORDERED on this ____ day of _____, 2024

Honorable Lewis J. Liman
United States District Judge